

Remarks

Specification

The specification has been amended as suggested by the Office Action.

Claim Rejections

By this amendment, claims 19-23 and new method claims 26-30 are pending. Applicant respectfully requests reconsideration of the rejections of claims 19-23 and consideration of claims 26-30.

Claim 19

The Office Action rejected claim 19 as being anticipated by U.S. Patent No. 6,708,538 to Walby. Applicant respectfully disagrees with this rejection, because claim 19 includes features that are not shown or suggested in the Walby patent. For example, claim 19 recites that the lock remains locked while the combination is changed. This is clearly not the case with the lock disclosed in the Walby patent. In the Walby patent, the lock must be unlocked for the combination to be changed.

In the Walby lock, a cylinder plug 19 receives a key 2 to allow rotation or may be rotated when an appropriate combination is dialed. "An output nut 22 is threadably or otherwise mated with a rear end of the cylinder plug." Col.4, ll. 43-45. "The cylinder plug rotation is transmitted through the output nut to move a locking member and achieve an unlocked condition." Col.2, ll. 22-24, See also col. 5, ll.1-12. To change the combination, the "cylinder plug must be moved away from its reference orientation." Col.7, ll. 62-65. In the Walby lock, the cylinder lock is moved approximately ninety degrees to allow the combination to be changed. Col. 7, l. 65- col. 9, l.10. The rotation of the cylinder plug 19 causes rotation of the output nut 22 to achieve an unlocked condition when the cylinder plug is rotated to the position that allows the combination to be changed. Since the Walby lock requires the lock to be placed in an unlocked condition to change the combination, the Walby patent clearly does not anticipate claim 19, which recites that the lock remains locked while the combination is changed. Claim 19 is in condition for allowance.

Claim 20

Claim 20 depends from claim 19 and further recites that rotating the key decouples the number dial from the tumbler dial. The Office Action rejected claim 20 as being anticipated by the Walby patent. Applicant respectfully points out that the dial 18 and knob 19 of the Walby lock are not coupled. (Column 5, line 52-Column 6, line 27 explains that the dial 18 is rotated around the knob 19 to enter the correct combination, before the knob 19 can be turned.) Since the dial 18 and the knob 19 are not coupled to begin with, the Walby patent clearly does not disclose or suggest rotating a key to decouple a number dial from a tumbler dial. Claim 20 is in condition for allowance.

Claim 21

Claim 21 depends from claim 19 and further recites that the key cylinder is mounted in a tumbler dial offset from the rotational center of the tumbler dial. The Office Action rejected claim 21 as being obvious over the Walby patent in view of U.S. Patent No. : 3,383,886 to Hermann. Applicant respectfully points out that the Office Action fails to establish prima facie obviousness, because the Office Action does not cite any motivation for combining the Walby and Hermann patents. MPEP 2143 The Office Action states that it “would have been obvious to modify the shape of the combination dial to provide an offset key cylinder as taught by Hermann as an obvious matter of design choice.” Office Action p. 4. However, the mere fact that a worker in the art could allegedly rearrange the parts of a reference device to meet the claim is not by itself sufficient to support obviousness. MPEP 2144.04, Ex Parte Chicago Rawhide Mfg. Co., 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984). The prior art must provide a motivation or reason for the worker in the art, to make the necessary changes in the reference device. Id. Applicant respectfully asserts that the Office Action does not identify any such motivation. Claim 21 is in condition for allowance.

Claim 22

Claim 22 depends from claim 19 and is also in condition for allowance.

Claim 23

Claim 23 depends from claim 19 and further recites aligning a marking with a number on the number dial, and the number correlates to a combination to unlock the lock. The Office Action rejected claim 23 as anticipated by the Walby patent. Applicant respectfully points out

that the Walby patent does not disclose aligning a marking with a number on a lock that corresponds to the lock combination. Claim 23 is in condition for allowance.

New Claims

By this amendment, new claims 26-30 have been added. New claims 26-30 include features that are not shown or suggested by the references and are in condition for allowance.

Respectfully submitted,

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By: Ken Smith
Kenneth J. Smith, Reg. No. 45,115
(216) 622-8674
Customer No. 24024